

UNITED STATES DISTRICT COURT
DISTRICT OF RHODE ISLAND

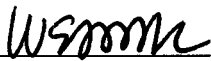
_____)	
GAIL CORVELLO, et al.,)	
)	
Plaintiffs,)	
)	
v.)	
)	
NEW ENGLAND GAS COMPANY,)	
)	
Defendant and)	CA. No. 05-0221T
Third-Party Plaintiff,)	
)	
v.)	
)	
BRIDGESTONE FIRESTONE NORTH)	
AMERICAN TIRE, LLC, BRIDGESTONE)	
AMERICAS HOLDINGS, INC., and)	
HONEYWELL INTERNATIONAL, INC.,)	
)	
Third-Party Defendants.)	
_____)	

ORDER

The Court has reviewed the parties' submissions in connection with Third-Party Defendants' motions to dismiss the amended third-party complaint. Strictly speaking, no motion for leave to amend is currently before the Court. However, in light of the Third-Party Plaintiff's argument that "even if the Court considers dismissing the Amended Complaint, dismissal with prejudice would be wholly inappropriate" and that leave to amend should be granted (Memo. in Support of Objection to Motion to Dismiss at 21-22), and with a view to promoting efficiency and obviating excessive motion practice, the Court will construe the

Third-Party Plaintiff's submissions as having incorporated a motion for leave to amend and/or substitute a party pursuant to Rules 15 and/or 17 of the Federal Rules of Civil Procedure. The Court construes this motion to be directed at curing the purported defects in naming the proper party, not the other defects alleged in the motions to dismiss. If Third-Party Defendants have any objections to this motion which they have not articulated in their prior submissions, they should do so within thirty days of the issuance of this Order. The Court will issue its opinion and order after the thirty days have elapsed.

IT IS SO ORDERED.



William E. Smith
U.S. District Judge
Date: March 21, 2011